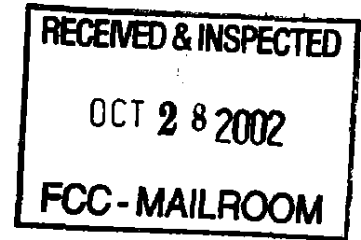


Before the
Federal Communications Commission
Washington, DC 20554



In the Matter of)
Request for Waiver of the)
Decision of the)
Universal Service Administrator by)
Marvin L. Winans Academy)
Detroit, Michigan)
Federal-State Joint Board on)
Universal Service)
Changes to the Board of Directors of the)
National Exchange Carrier Association, Inc.)

File No. SLD-321794

CC Docket No. 96-45✓

CC Docket No. 97-21

ORDER

Adopted: October **21, 2002**

Released: October **25, 2002**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Before the Telecommunications Access Policy Division is a Request for Waiver filed by Marvin L. Winans Academy (Winans Academy), Detroit, Michigan, seeking review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Winans Academy seeks review of SLD's denial of its FCC Form 471 application, stating that Winans Academy's application did not meet the filing requirements for the 2001-2002 Schools and Libraries filing window.² However, since the Request for Waiver was filed, SLD reconsidered its denial and issued a Form 471 Receipt Acknowledgement Letter stating that Winans Academy FCC Form **471** was received and was successfully data entered.³ Therefore, we dismiss Winans Academy's Request for Waiver as moot.

¹ Letter from Tony Mottley, Marvin L. Winans Academy, to Federal Communications Commission, filed August 19, 2002 (Request for Waiver).

² Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ See Letter from Schools and Libraries Division, Universal Service Administrative Company, to Tony Mottley, Marvin L. Winans School, dated September 27, 2002 (Form 471 Receipt Acknowledgment Letter).

2. ACCORDINGLY, IT IS ORDERED pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91.0.291, and 54.722(a), that the Request for Waiver filed by Marvin L. Winans Academy, Detroit, Michigan, on August 19, 2002 IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Mark G. Seifert", is written over the printed name.

Mark G. Seifert

Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau